

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

ORDER

S.B. CRIMINAL MISC. BAIL APPL. NO.6884/2006
Jyoti V. THE STATE OF RAJASTHAN

Date of order ::: December 22, 2006

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.RS Agarwal & Mr. RDS Naruka, for the applicant.
Mr.R.P. Kuldeep, PP for the State.
Mr.AM Khan, for the complainant.

Heard learned counsel for the applicant as well as the learned Public Prosecutor assisted by Mr.Khan, learned counsel for the complainant.

This bail application under Section 439 Cr.P.C. arises out of FIR No.82/2006, P.S. Mandawas, Distt. Jhunjhunu for the offence under Sec. 306 IPC.

Submission of the learned counsel for the applicant is that the husband of applicant Shanker Lal has committed suicide and he has left behind two children. His further submission is that the applicant is keeping with her one child in jail and she is behind the bars for the last three months. As per proviso (1) of Sec.437 Cr.P.C., the applicant is entitled to bail being a lady.

On the other hand, learned Public Prosecutor assisted by Mr.Khan, learned counsel for the complainant opposed the grant of bail tot he

applicant and submit that considering the suicidal notes, bail application of the applicant deserves to be rejected.

Without expressing any opinion on the aforesaid submissions on merits and demerits of the case and taking into consideration the entire facts and circumstances of the case, I am inclined to grant bail to the applicant, being a lady considering the proviso (1) of Sec.437 Cr.P.C..

It is, therefore, ordered that applicant Jyoti W/o Shanker Lal shall be released on bail, provided she furnishes a personal bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only) together with two sureties in the sum of Rs.15,000/- to the satisfaction of the learned trial court for her appearance before that Court as and when called upon to do so during pendency of the trial against her arising out of FIR No.82/2006 registered at Police Station Mandawa, Distt. Jhunjhunu.

(PREM SHANKER ASOPA) J.

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